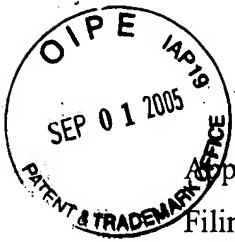


EV698744259



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. .... 10/609,329  
Filing Date ..... June 27, 2003  
Confirmation No. .... 7914  
Assignee ..... Microsoft  
Inventorship ..... BATTERBERRY, Troy, et al.  
Group Art Unit ..... 2863  
Examiner ..... LAU, Tung  
Attorney's Docket No. .... MS1-1479US  
Title: Midstream Determination of Varying Bandwidth Availability

**RESPONSE TO OFFICE ACTION DATED**

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Eric Gash  
**Customer No. 22801**  
Lee & Hayes PLLC  
421 W Riverside Avenue, Suite 500  
Spokane, WA 99201  
Tel. (509) 324-9256 ext. 228  
Fax (509) 323-8979

## **INTRODUCTORY COMMENTS**

This communication is responsive to the Office Action dated March 4, 2005, of which a three-month shortened statutory period for response is set for June 4, 2005. Please amend the above-captioned application as follows:

**Amendments to the Claims** begin on page 3 of this response.

**Remarks** begin on page 16 of this response.